

DEPARTMENT OF THE CORPORATION COUNSEL 205

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

AVID AMIRI, Individually and as  
Trustee of the DEUTSCHE  
INTERNATIONAL TRUST II,

Plaintiffs,

vs.

COUNTY OF MAUI; DOE  
DEFENDANTS 1-100,

Defendants.

CIVIL NO. CV 19-00373 JAO-RT

DEFENDANT COUNTY OF  
MAUI'S RULE 16 SCHEDULING  
CONFERENCE STATEMENT;  
CERTIFICATE OF SERVICE

Date: September 9, 2019

Time: 9:00 a.m.

Magistrate Judge: Hon. Rom Trader

**DEFENDANT COUNTY OF MAUI'S  
RULE 16 SCHEDULING CONFERENCE STATEMENT**

Defendant COUNTY OF MAUI ("County"), by and through its attorneys,  
Moana M. Lutey, Corporation Counsel, John K. Holiona and Thomas Kolbe,  
Deputies Corporation Counsel, hereby submits its scheduling conference statement

pursuant to Rule 16 of the Federal Rules of Civil Procedure and Rule 16.2 of the U.S. District Court Local Rules for the District of Hawaii, as follows:

**I. STATEMENT AND NATURE OF THE CASE**

Plaintiff DEUTSCHE INTERNATIONAL TRUST II (“DIT”) is listed as the owner of record of real property identified as Tax Map Key (2) 2-8-002:181, located at 372 Puu Way, Haiku, Maui, Hawaii 96708 (the “Property”). Plaintiff AVID AMIRI (“Amiri”) is the trustee and beneficiary of Plaintiff DIT. Plaintiffs DIT and Amiri allege that Defendant County was negligent in its construction, maintenance, inspection and repair of the culvert roadway that provided access to the Property.

**II. STATEMENT OF JURISDICITON AND VENUE**

Venue and jurisdiction are proper in this matter. Jurisdiction is based upon complete diversity of citizenship between Plaintiffs and Defendant. Venue is appropriate because all defendants reside in the State of Hawaii and the events complained of occurred in the State of Hawaii.

**III. JURY TRIAL**

A jury trial has been demanded.

**IV. DISCLOSURES**

Per agreement, the parties will exchange Initial Disclosures on or around September 18, 2019. Any additional disclosures will be made in accordance with the discovery deadline(s) set by the Court and in accordance with the applicable rules.

**V. DISCOVERY COMPLETED, IN PROGRESS, MOTIONS**

No discovery has been conducted and there are no motions pending.

**VI. SPECIAL PROCEEDINGS/SPECIAL PROCEDURES**

There are not special procedures anticipated.

**VII. RELATED CASES**

The County is not aware of any related cases currently pending.

**VIII. ADDITIONAL MATTERS**

The County is not aware of any other matters that should be brought to the attention of the Court at this time.

DATED: Wailuku, Maui, Hawaii, August 30, 2019.

MOANA M. LUTEY  
Corporation Counsel  
Attorneys for Defendant  
COUNTY OF MAUI

By /s/ John K. Holiona  
JOHN K. HOLIONA  
THOMAS KOLBE  
Deputies Corporation Counsel

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CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was electronically served upon the following parties, through CM/ECF:

Gregory A. Ferren  
The Law Office of Gregory A. Ferren, LLC  
92-1075 Koio Drive, Suite A  
Kapolei, HI 96707  
Attorney for Plaintiff

DATED: Wailuku, Maui, Hawaii, August 30, 2019.

MOANA M. LUTEY  
Corporation Counsel  
Attorneys for Defendant  
COUNTY OF MAUI

By /s/ John K. Holiona  
JOHN K. HOLIONA  
THOMAS KOLBE  
Deputies Corporation Counsel